

ITW



Docket No.: 043888-0395

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 53080
	:	
Masaya UGAJI, et al.	:	Confirmation Number: 6442
	:	
Application No.: 10/551,935	:	Group Art Unit: 1795
	:	
Filed: October 04, 2005	:	Examiner: Maria J. LAIOS
	:	
For: SOLID ELECTROLYTE AND ALL SOLID STATE BATTERY CONTAINING THE SAME	:	

RESPONSE UNDER 37 C.F.R. § 1.111

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated October 9, 2008, wherein a three-month shortened statutory period for response is set to expire on January 9, 2009, Applicants respectfully request reconsideration of the above-identified application in view of the following remarks.

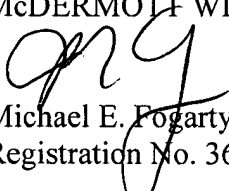
Claims 1 and 4-7 are pending.

The Examiner rejected claims 1 and 4-7 on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-3 and 9 of copending application No. 10/575,889. Since allowable subject matter has not been indicated in application No. 10/575,889, and the instant application is the earlier filed application, Applicants respectfully request that the provisional double-patenting rejection be withdrawn and the case passed to issue. If necessary, a terminal disclaimer can be filed in application No. 10/575,889.

Having fully responded to all matters raised in the Office Action, Applicants submit that an indication for allowable subject matter is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

Respectfully submitted,

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**Please recognize our Customer No. 53080
as our correspondence address.**